

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

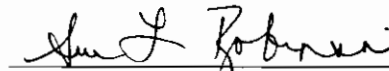
TEREK RAHEEM DOWNING,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-568-SLR
)	
CORRECTIONAL OFFICER ART)	
DAVIS, CORRECTIONAL OFFICERS)	
AND STAFF, DELAWARE)	
CORRECTIONAL CENTER, FIRST)	
CORRECTIONS MEDICAL INC.,)	
WARDEN THOMAS CARROLL,)	
M. JANE BRADY, DELAWARE)	
DEPARTMENT OF CORRECTION,)	
and DELAWARE DEPARTMENT OF)	
COURT AND TRANSIT,)	
)	
Defendants.)	

ORDER

At Wilmington this 14th day of January 2007, for the reasons set forth in the memorandum opinion issued this date;

IT IS HEREBY ORDERED that:

1. State defendants' motion to dismiss (D.I. 17) is **granted.**
2. Plaintiff's motion for appointment of counsel (D.I. 23) is **denied without prejudice.**


UNITED STATES DISTRICT JUDGE